



## **CITY OF EUREKA**

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September 17, 2019

Hon. Joyce Hinrichs, Presiding Judge  
Humboldt County Superior Court  
825 5<sup>th</sup> Street  
Eureka, California 95501

RE: Response of the Eureka City Council to the section of the 2018-2019 Humboldt County Grand Jury Report titled “Les Misérables,” dated July 8, 2019.

Dear Judge Hinrichs:

The Eureka City Council (the Council) is charged by Penal Code Section 933, et seq. with responding to the Grand Jury’s finding and recommendations. Please consider this to be the Council’s response to the “Les Misérables” section of that report (“the report”).

On page 17 of the report, the Grand Jury divides responsibility for responding to the findings and recommendations of the report between the Council and the Eureka Police Department (EPD). The Council bears the exclusive duty to respond to the Grand Jury report. While the EPD has assisted in preparing these responses, the Council accepts responsibility for the content of this reply.

The Council is responding to all the Grand Jury Findings and Recommendations at face value. However, we note that some of the findings appear to be phrased for rhetorical effect.

The Council also notes that the report almost completely overlooks the City’s substantial efforts to provide homeless people with direct services and referrals. Toward the end of this response, we attempt to provide balance.

The Council respectfully disagrees with one of Les Misérables’ opening statements: “Eureka, in particular, has taken a kind of carrot and stick approach but with an emphasis on the stick.” This City has devoted major resources to outreach and assistance to our homeless citizens and will continue to do so.

## **RESPONSES TO FINDINGS**

### **F1. Citations and arrests of homeless have not resulted in reducing the overall number of unhoused people in the City of Eureka.**

The Council agrees with this finding. A multitude of factors determine the “overall number” of homeless in any community. Citation and arrest has never been a strategy of the City of Eureka to reduce homelessness.

### **F2. Citations and arrests complicate the problem by making it more difficult for people to find work and qualify for housing.**

We agree that this may be a side effect of law enforcement, in any context.

### **F3. The financial cost of criminalizing the homeless far exceeds the cost of providing services that transition people into housing and a stable living situation.**

We disagree with the implication that the City of Eureka has sought to criminalize homelessness. As explained in more detail below, the City does seek to provide access and referral of homeless people to services that help transition people into housing and a stable living situation. The City of Eureka has invested significant human and financial resources to help individuals find the path from homelessness to housing. Not all individuals who happen to be homeless are interested in these services.

### **F4. The City of Eureka and Humboldt County governments are not effectively working together in coordination to solve the problem of homelessness.**

We disagree with the blanket nature of this statement. The City of Eureka and Humboldt County do work together effectively. Nevertheless, much more can be done and needs to be done.

### **F5. Criminalizing behavior that is largely part of being human, increases the misery of those being targeted.**

Due to the implication that the EPD is “targeting” anyone or any group, the Council disagrees with this finding as it is phrased. Eureka’s ordinances apply to everyone.

However, we understand the Grand Jury’s larger point here and agree that law enforcement is not the solution to homelessness, nor would we want or expect it to be. More resources and options are sorely needed. The homeless crisis in America is a complicated and multifaceted challenge of epic proportions. To tip the scale toward real solutions, we need to place more weight on resources like transitional housing, mental health services, and residential detox programs, thus reducing the need for law enforcement to manage the problem.

Laws and local ordinances that prevent and control crime and disorder-related behavior are necessary to ensure a safe and livable community. Littering, openly using illicit drugs, aggressively accosting people for money, stealing shopping carts, obstructing public ways, smoking in prohibited areas, and trespassing on private property do not constitute acceptable behaviors that are fundamentally “part of being human” regardless of whether or not an individual is without a house or home. *Sleep* is a fundamental need and part of being human. Establishing an

entrenched illegal encampment whenever, wherever, and however one wants is not. Time, place and manner restrictions must still apply in the legitimate absence of other housing or shelter options.

Compassion must be coupled with accountability for behavior. A function of law enforcement is also to serve as an incentive for lawbreakers to stop engaging in their unacceptable and destructive behavior. No one has the fundamental right to litter in public, destroy property, trespass, willfully create a public health or safety hazard, obstruct the flow of pedestrian and vehicular traffic, or interfere with rights of others to use public areas for their intended purposes. There is a distinction between the act of sleeping and setting up or remaining at a “campsite” on public property (or public right-of-way) for purposes of dwelling in that particular place. Public space is subject to competing public interests. Camping on recreational trails, on ball fields, or in playgrounds, for examples, requires public authority to balance competing claims.

*Martin v. Boise* does not apply to enforcement on private property or to particular times and locations where access to public property is restricted. Even before the *Martin v. Boise* court decision, it has been EPD procedure that officers generally will not take enforcement action for prohibited camping in public spaces between 9:00 PM and 6:00 AM absent extenuating circumstances. Our patrol responses to this issue are also largely complaint-driven.

EPD is responsible for preventing crime and maintaining law and order within the city by enforcing the laws of the United States, the State of California, and the City of Eureka. It is also EPD’s duty to promote the public health and safety by helping the city maintain public areas in clean, sanitary and accessible condition. Officers have the responsibility to investigate and respond to complaints, including assessing the occurrence of other possible criminal violations. The Ninth Circuit Court of Appeals decision in *Martin v. Boise* is a “narrow” holding that provides some guidance concerning what the ruling does not cover:

- A city is not required to provide sufficient shelter for the homeless.
- A city may still limit the time and place where people sit, lie, or sleep in public places.
- *Martin v. Boise* does not cover individuals who do have access to free shelter or the means to pay for it, but choose not to use it.
- The court’s ruling did not strike down Boise’s ordinances in their entirety but rather only as applied to individuals with no shelter options.
- The also court acknowledged:

*“Nor do we suggest that a jurisdiction with insufficient shelter can never criminalize the act of sleeping outside. Even where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside at particular times or in particular locations might well be constitutionally permissible. So, too, might an ordinance barring the obstruction of public rights of way or the erection of certain structures.”*

**F6. The pressure to enact and enforce selective laws creates a moral quagmire for all involved.**

The Council does not see this statement as a “finding” within the meaning of the Grand Jury law. Our understanding of “selective enforcement” would involve discriminating among different violators of the same law. We do not believe the EPD does that. EPD also understands and seeks to fairly apply the concept of “the letter versus the spirit of the law.”

**F7. Dispersing homeless encampments creates roadblocks to providing services by making it more difficult to reach the people in need of them.**

The Council agrees in part and disagrees in part with this finding. To provide the substance of our disagreement, Chief Watson has communicated the following:

While encampments can provide a more centralized and concentrated location in which to locate and outreach to the homeless, they also invariably become major hotbeds for more serious crime and disorder problems coupled with immense environmental damage. In the EPD’s experience, wherever the homeless congregate, serious problems tend to persistently occur in the absence of a capable guardian and effective, consistent management. These problems create a roadblock to services that can outweigh the benefit of concentrating the homeless in one place.

As a result, the police end up being the people homeless individuals see most at these encampments (often daily) while outreach/social workers and other service providers are rarely present. For example, this dynamic was observed at the Palco Marsh (Devil’s Playground) encampments and at the City’s designated temporary, rotating overnight sleeping areas. This was also observed on the sidewalk across from the Saint Vincent de Paul Free Dining Facility (3<sup>rd</sup> Street between Commercial and A Streets) where 40-50 homeless used to congregate at all hours until the area was fenced off due to uncontrolled problems (including shots fired, violent assaults, disturbances, open drug use and dealing, littering, burglaries, etc.).

Prior to the vacating of the Palco Marsh in early May 2016, EPD responded to multiple shootings and recovered numerous firearms there. (The Devil’s Playground was so named by the homeless themselves.)

During this period, EPD surveyed the homeless (about 112 were surveyed) and community members (over 2,000 responded) in Eureka. The results are telling:

- Criminal history checks revealed 99 of 112 of the homeless surveyed had a criminal history (67% - drugs, 60% - theft, 49% - serious violence);
- 73% of community members surveyed reported they were afraid to walk in open spaces;
- 80% changed their shopping habits due to fear of the homeless;
- 65% of businesses reported losing customers due to problems they associated with the homeless;
- 50% didn’t feel safe leaving their workplace;
- 80% received customer complaints about homeless individuals;
- 83% interacted monthly or more frequently with homeless people.

EPD also analyzed 51 violent crimes that were reported in one quarter:

- 22 involved a victim or suspect who was homeless;
- 52% of the assaults, 32% of robberies, and 33% of rapes involved a homeless individual.

### **Crime in the “Devil’s Playground”**

In 2014, EPD responded to:

- 3 stabbings;
- 3 shootings (two victims sustained gunshot wounds to the legs);
- 5 assaults with other deadly weapons;
- 1 armed robbery;
- 1 arson.

During the first three months of 2015, EPD conservatively took 190 crime reports on or around the property including:

- 83 property crime reports (including 64 for shoplifting);
- 34 warrant arrests;
- 9 violent crime reports (including 2 robberies, a felony assault on a peace officer, and 2 stabbings);
- 4 illegal weapons cases (2 illegal firearm possessions, 1 firearm brandishing, 1 other illegal weapon possession);
- 14 drug and alcohol-related reports.

During a single week, Eureka experienced a homeless-related homicide and 4 stabbings. Walmart, located in the Bayshore Mall near the encampments, experienced well over one million dollars in retail theft (“shrinkage”) during a one-year period. Following the vacating of the Palco Marsh, theft at the mall decreased 43% and calls for police services decreased 30%.

### **Garbage**

City Parks and Recreation Staff and advocates with Friends of the Marsh cleaned up many tons of refuse each week:

- **2015** - 324.26 tons;
- **January- April 2016** - 177.7 tons;
- **May 2016** removal operation – 114 tons of waste collected.

### **Environmental Damage and Hazardous Waste**

- Extensive removal and burning of native vegetation
- Estimated 186,000 pounds (93 tons) of human waste dumped into or around the Bay

### **Fires and Medical/Health-Related Service Calls**

- Hundreds of calls to Humboldt Bay Fire District;
- Fire Department calls to the Palco March area became mandatory mutual aid responses with EPD because of significant safety concerns.

[https://popcenter.asu.edu/sites/default/files/vacation\\_of\\_the\\_devils\\_playground\\_eureka\\_california\\_goldstein\\_award\\_finalist.pdf](https://popcenter.asu.edu/sites/default/files/vacation_of_the_devils_playground_eureka_california_goldstein_award_finalist.pdf)

Most homeless individuals in Eureka use services such as the Saint Vincent de Paul Free Dining Facility. 78% of 190 homeless surveyed by EPD during a 4-month period from August 2018 – January 2019 reported they utilized services at the “Free Meal” facility. Though periodically present, EPD believes this remains an under-utilized opportunity for outreach workers and services providers to engage the homeless and offer outreach, services, and resources to them.

Eureka Police Department. “Unsheltered Homeless Survey.”  
<https://new.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=15676>

#### **F8. Continuing to cite and arrest homeless individuals participating in the activities of daily living will not improve the available housing inventory.**

The Council agrees that citations and arrests “will not improve the available housing inventory,” nor are citations or arrests intended or purported to do so.

#### **F10. The Mobile Intervention Services Team could be more effective with additional law enforcement team members.**

The Council conditionally agrees with this finding. However, please refer to our response to R11 for additional considerations.

### **RESPONSES TO RECOMMENDATIONS**

**RI. The Humboldt County Civil Grand Jury recommends representatives from the Eureka City Council, Eureka Police Department, homeless advocacy groups, and the homeless community form a committee to review the following ordinances (EMC 131.30, EMC 130.30, EMC 130.14, EMC 130.13, EMC 130.12, EMC 130.10, EMC 130.06, EMC 130.01, EMC 93.03, EMC 93.02) by October 1, 2019. (F1, F5, F6, F8)**

**R2. The Humboldt County Civil Grand Jury recommends the committee in RI evaluate the above ordinances and identify those for which the homeless have no options to avoid violating them. This action should be completed by December 16, 2019. (F2, F4, F5, F6)**

**R3. The Humboldt County Civil Grand Jury recommends for those ordinances identified in R2, the committee provide recommendations to the Eureka City Council to amend the ordinances. This action is to be completed by January 30, 2020. (F2, F5, F8)**

**R1 – R3:**

The Council will not implement the committee that is the foundation of all three of these recommendations because the committee is not warranted. The City's ordinances should be periodically reviewed for compliance with the U.S. Constitution, current applicable case law, and the needs of our community. However, there already is an existing process in place for creating, discussing, reviewing, approving and amending Eureka's ordinances. This process is transparent, complies with the law, and affords the public the opportunity to be heard and to vote—through their elected officials (City Council members). Forming a committee that includes homeless members and advocacy groups for the purpose of reviewing and amending these ordinances is unlikely to be productive given the wide gulf between agendas and viewpoints. Several of the ordinances identified by the Grand Jury are already being reviewed for amendment by the EPD, City staff, and the City Attorney.

Members of City staff including EPD frequently participate in meetings and discussions with homeless service providers (both public and private/nonprofit), advocates, members of the homeless community, City and County staff, and other community stakeholders. The Council would support quarterly meetings with homeless advocacy groups and members of the homeless community for the purpose of building greater bridges, understanding, and trust. These meetings would also provide the opportunity to constructively discuss homeless-related concerns and strategies.

The Council agrees the above ordinances identified by the Humboldt County Civil Grand Jury should be periodically reviewed. However, we disagree the appropriate vehicle for this review should be the committee as recommended in R1. EMC 93.02 (Camping), 93.03 (House trailers/vehicle habitation), and 130.06 (Aggressive and intrusive solicitation) are currently being evaluated by the City Attorney's Office and EPD for possible review and amendment by the City Council. It is anticipated this process will be completed by December 31, 2019. Additionally:

- EMC 131.01 (Trespass on private property prohibited) was adopted by the City Council on December 4, 2018. This new ordinance pertains to violations on private property specifically. The Council does not agree it needs to be reviewed or amended at this time.
- EMC 130.30 (Abandoned shopping carts): The Council does not agree that this ordinance should be revoked or amended. Abandoned or misappropriated shopping carts are not only a public nuisance, but shopping cart theft is a costly problem for stores. (The food marketing Institute reports 2 million carts are stolen a year at an estimated cost of \$800 million annually globally. Carts typically cost between \$75 and \$150 each with some models costing up to \$400.) This is essentially possession of stolen property and not acceptable.

Wilkinson, Kelly; Learmonth, Michael (June 3, 1999). "Wheels of Fortune". Metroactive.  
<http://www.metroactive.com/papers/metro/06.03.99/shoppingcarts-9922.html>  
<http://denver.cbslocal.com/2017/06/07/stolen-shopping-carts-homeless/>

- EMC 130.01 (Drinking alcoholic beverages in public): Consuming alcohol is not a basic human need or right. Uncontrolled public consumption of alcoholic beverages would undoubtedly lead to significant and dangerous issues including increased crime (public

intoxication, violent assaults and disturbances etc.) and risk of alcohol-related deaths (falls, vehicle accidents involving intoxicated pedestrians, alcohol poisoning). Public intoxication is already a major problem in Eureka.

From January 1, 2018 through August 14, 2019 (591 days), EPD responded to 709 incidents specifically reported as “drunk in public” or “alcohol offenses.” This does not include the many other cases initially logged under other incident-types (such as fights and disturbances) where alcohol consumption was a contributing factor. During this same period, EPD officers made over 1,600 custodial arrest for 647(f) PC (The California Penal Code section for Public Intoxication). This is an average rate of 2.7 arrests per day. Additionally, 200 citations were issued for EMC 130.01 in an attempt to control these issues in public places.

In March 2019, the Humboldt County Sheriff’s Office released a report titled *Alcohol and Other Drugs-Related Deaths for Humboldt County 2018*. Eureka led the county with 20 deaths by alcohol or drugs reported last year. Countywide there were 57 deaths by alcohol and/or other drugs (AOD), which is up from 49 in 2017. According to the *2018 Humboldt County Community Health Assessment* report, AOD overdoses are one of the eight leading causes of premature death, and Humboldt County’s AOD-related death rates are 3 times higher than the state. Alcohol-related offenses are a major causal factor of significant health, safety, and criminal problems in our community, and we firmly disagree that this ordinance should be suspended, revoked or amended.

<https://lostcoastoutpost.com/2019/mar/15/alcohol-and-other-drugs-related-deaths-report-for/>

<https://humboldtgov.org/DocumentCenter/View/71701/2018-Community-Health-Assessment-PDF>

The following ordinances are rarely used, and may be reviewed, but we believe they remain necessary tools and should not be suspended.

- EMC 130.14 (Storage of personal property)
- EMC 130.13 (Obstruction of movement in public ways) and EMC 130.12 (Sitting or lying on sidewalks in commercial districts): Being homeless does not give a person the right to impede the free movement of others. The court also acknowledged in *Martin v. Boise* a city may still limit the time and place where people sit, lie, or sleep in public places, stating:

*“Nor do we suggest that a jurisdiction with insufficient shelter can never criminalize the act of sleeping outside. Even where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside at particular times or in particular locations might well be constitutionally permissible. So, too, might an ordinance barring the obstruction of public rights of way or the erection of certain structures.”* Additionally, EMC 130.12 is specific only to certain delineated areas of the city. There remain vast areas where the sit/lie



ordinance is not in force and individuals may choose to rest (without obstructing movement in public ways).

For the foregoing reasons the Council disagrees with R1, R2, R3 as proposed by the Grand Jury. These recommendations will not be implemented because they are not warranted or reasonable.

**R4. The Humboldt County Civil Grand Jury recommends Eureka City Council consider suspending enforcement of the ordinances identified in R2 until the review in R3 is completed. This action should be completed by March 16, 2020. (F1, F5, F6, F8)**

The Council disagrees with this blanket recommendation. The recommendation will not be implemented because it is not warranted or reasonable.

That said, following the *Martin v. Boise* ruling, Eureka Police officers are provisionally no longer citing individuals for sleeping in public spaces under EMC 93.02 (camping prohibited) and EMC 93.03 (unlawful habitation in autos/trailers). This limited suspension of enforcement (it does not apply to private property for instance) may continue until such time as the City's ordinances and policies have been ensured to comply with this court decision and any subsequent binding case law rulings. Other associated crimes that officers may observe, however (such as public intoxication, open drug or alcohol use, disturbances, and littering etc.), are still being enforced as appropriate and necessary.

Additionally, even before the *Martin v. Boise* decision, it has been EPD procedure that officers generally will not take enforcement action for prohibited camping in public spaces between 9:00 PM and 6:00 AM, absent extenuating circumstances. EPD patrol responses to this issue are largely complaint-driven. The larger concern is not the act of *sleeping* during the customary hours for this activity, but rather other more serious crime and disorder problems often directly associated with certain recalcitrant individuals and with established encampments.

Our Eureka Police Department is increasingly looking beyond traditional enforcement to manage the homeless problem and find real solutions as evidenced by the efforts of our new Community Safety Enhancement Team (CSET), which started on July 1, 2018 (Refer to R11 for more details).

The following reports for EMC violations in years 2017, 2018 and 2019 were obtained from the City Attorney's Office, which is responsible for filing and prosecuting these cases submitted by EPD:

2017 EMC VIOLATIONS

Total EMC Violations	EMCs	
10	51.33	collecting recyclables without a permit
93	51.41	littering
18	91.001	dogs at large
1	91.002	animals in vehicles
1	91.017	insanitary conditions
1	91.018	animals at large
32	91.066	registration required
2	92.10	unlawful handling/purchase of butane
862	93.02	illegal camping/camping in public
18	93.03	living in vehicle
35	97.02	smoking within 100' of Boardwalk
9	97.03	living in vehicle
94	130.01	open container
53	130.06	aggressive and intrusive solicitation
58	130.12	sitting/lying on sidewalks in commercial district
3	130.13	obstruction of public movement
5	130.14	storage of personal property
14	130.30	unlawful possession and abandonment of carts

1309

Infractions	753
Prosecutions	441 [Includes EMC violations that are added to VOPs and EOJs.]
Rejections/Not filed	115
<b>TOTAL EMC Violations</b>	<b>1309</b>

NOTE: If more than one EMC violation is listed on citation, each EMC violation is counted separately.

2018 EMC VIOLATIONS

## Total EMC Violations

6	51.33	collecting recyclables without a permit
34	51.41	littering
3	73.06	riding bicycles on sidewalks
25	91.001	dogs at large
1	91.017	insanitary conditions
1	91.018	animals at large
24	91.066	registration required
457	93.02	illegal camping/camping in public
8	93.03	living in vehicle
1	93.5	In park after closing
24	97.02	smoking within 100' of Boardwalk
3	97.03	living in vehicle
87	130.01	open container
10	130.06	aggressive and intrusive solicitation
6	130.12	sitting/lying on sidewalks in commercial district
23	130.14	storage of personal property
2	150.173	entering posted condemned building

715

Infractions	683
Prosecutions	4 [Includes EMC violations that are added to VOPs and EOJs.]
Rejections/Not Filed	28
TOTAL EMC Violations	715

NOTE: If more than one EMC violation is listed on citation, each EMC violation is counted separately.

01-01-2019 TO 06-30-2019 EMC VIOLATIONS

## Total EMC Violations

2	51.33	collecting recyclables without a permit
11	51.41	littering
16	91.001	dogs at large
1	91.002	animals in vehicle
1	91.017	insanitary conditions
1	91.018	animals at large
1	91.019	unnecessary noise
19	91.066	registration required
3	97.02	smoking within 100' of Boardwalk
88	130.01	open container
1	130.13	obstruction of movement on public ways
21	130.14	storage of personal property

165

Infractions	152
Prosecutions	0 [Includes EMC violations that are added to VOPs and EOJs.]
Rejections/Not filed	13
Total EMC Violations	165

NOTE: If more than one EMC violation is listed on citation, each EMC violation is counted separately.

As one can see from this data, in 2017 a total of 1,309 EMC violations were referred. 753 of these were handled as infractions (essentially referred to traffic court for fines), 441 were prosecuted by the City Attorney, and 115 were rejected/not filed for various reasons. Of these 2017 EMC referrals, 862 were for camping and 18 for living in a vehicle (EMC 93.03).

In 2018, a total of 715 EMC violations were referred. 683 of these were handled as infractions, 4 were prosecuted, and 28 were rejected/not filed. Of these 2018 EMC referrals, 457 were for camping and 8 for living in a vehicle. This represents a 47% reduction in citations for EMC 93.02 (Camping) from 2017 to 2018.

From 01/01/2019 to 06/30/2019 (first 6 months of 2019), a total of 165 EMC violations were referred. 152 of these were handled as infractions, 0 were prosecuted, and 13 were rejected/not filed. None of these citations received by the City Attorney's Office were for EMC 93.02 or 93.03.

The total number of EMC violations referred by EPD decreased 45% between 2017 and 2018, and is projected to decrease approximately 54% between 2018 and 2019 if the EMC referral rate for the first half of this year continues through the end of the year.

The three main casual factors behind this change in camping-related enforcement (citations and arrests) can be summarized as follows:

1. On December 19, 2017, the former City Attorney informed EPD she could no longer continue prosecuting EMC violations as misdemeanors (due to high workload and the lack of a Deputy City Attorney to assist her) and she would be charging everything as infractions starting immediately. This essentially reduced the effectiveness of the citations as a deterrent. One benefit of prosecuting EMC's as misdemeanors is the ability of the City Attorney to often obtain "stay away" orders and other conditions of summary probation for habitual offenders. For example, a particularly noncompliant offender creating significant ongoing crime and disorder problems in Old Town could be prohibited (upon threat of arrest for probation violation) from entering or remaining in that defined area for a specified period.
2. The September 4, 2018 Ninth Circuit Court of Appeals decision in *Martin v. Boise* was handed down. This federal court decision now affects laws in nine western states, including California. It creates new challenges for public agencies to prosecute people for sleeping or camping on public property in violation of local ordinances. The ruling also creates more questions and controversy than answers that may take years and subsequent case law decisions to clarify. The City of Boise has recently requested the U.S. Supreme court to grant hearing on the case.

The Court held that a Boise, ID ordinance violated the Eighth Amendment to the extent that it imposed criminal sanctions against homeless persons for sleeping outdoors, on public property, when they had no alternative shelter access available. The Ninth Circuit essentially ruled that criminalizing the status of being "homeless," or criminalizing the "unavoidable consequences" of that status—such as sitting, lying or sleeping on sidewalks and other public grounds—may constitute cruel and unusual punishment.

As a result, until Eureka's camping ordinances have been vetted and updated to ensure full compliance with *Martin v. Boise*, Eureka Police officers are provisionally no longer citing individuals for sleeping in public spaces under EMC 93.02 (camping prohibited) and EMC 93.03 (unlawful habitation in autos/trailers). This is a limited suspension of enforcement (citations and arrests) for those specific ordinances upon recommendation from legal counsel. *EPD will continue to clean-up entrenched, illegal encampments in accordance with established law and policy* (including the posting of removal notices and the temporary storage of belongings for safekeeping as required).

3. EPD and the City continue to look for new and alternative approaches to address the homeless problem in our jurisdiction. Collaborative programs like MIST, CSET, and UPLIFT Eureka are increasingly providing us with new tools and options beyond enforcement. While arrests are sometimes still necessary, outreach, communication, relationships, and direct linkage to services are key components to our homeless strategy.

It is also important to note that EPD continues to proactively address and deter crime in Eureka. In 2018, EPD officers booked 3,475 suspects into the Humboldt County Jail. This is more than the next two closest agencies combined, or more than double the jail bookings of any other individual department (APD – 1,413 and HCSO – 1,547). Additionally, EPD officers issued 2,680 citations in 2018. (These arrest and citation statistics are not specific to the homeless.)

### **Eureka Rescue Mission - Men's Shelter**

The following information was provided to the Eureka Police Department by former ERM Men's Shelter Director, Dale Rhodes, on 08/12/2019:

*How many nights during 2018 and 2019 (Jan – July) was there at least one empty bed?*

- There was an available bed every night during this time period.

*How many times during 2018 and 2019 (Jan – July) did you turn anyone away due to no beds being available?*

- Zero. They always make space. This does not include when an individual is noncompliant with rules.

*How many times was the Overflow Emergency Shelter activated during 2018 and 2019 (Jan – July)?*

- Zero.

### **Eureka Rescue Mission - Women's Shelter**

The following information was provided to the Eureka Police Department by ERM Women's Shelter Director, Kristen Freeman, on 08/12/2019:

<b>Month / Year</b>	<b>Highest Night</b>	<b>Available Nights w/ bed</b>	<b>Turned Away including for noncompliance to rules</b>
Aug 2018	30	13	0
Sept 2018	42	4	0
Oct 2018	37	1	10
Nov 2018	41	1	11
Dec 2018	47	0	0
Jan 2019	48	0	0
Feb 2019	44	1	13
Mar 2019	42	5	0
Apr 2019	41	1	4
May 2019	52	0	6
Jun 2019	42	2	0
Jul 2019	46	0	5

Freeman took over as the Women's Shelter Director in September 2018. She reported they are constantly in "overflow" status. However, Freeman informed EPD that during extreme weather conditions they did not turn anyone away. As of July 1, the Women's Shelter now has a New Life Discipleship program like the Men's Shelter. They are currently housing 9 families.

A key takeaway here is that while additional shelter space, especially on the Women's/Family side of the Mission, is a need in our community, the mission offers a safe, legal place for the homeless to sleep that is still not being fully utilized by many of those in need. Additionally, through a cooperative agreement with Saint Vincent de Paul, their dining facility is available as an emergency overflow site, not only for emergency shelter during extreme weather but also when the Mission exceeds capacity. This overflow emergency shelter was not activated during 2018 – July 2019.

According to Bryan Hall, Executive Director of the Eureka Rescue Mission, the current capacity for the Women's Shelter is about 54 and the Men's Shelter can safely take in 70 males. However, when the current renovation is completed they hope to have 35 bunks in their new dormitory with the ability to provide emergency overflow shelter for a total 140 men.

While EPD understands the "3Ps" (pets, partners, and possessions) are limiting hurdles to utilizing the Mission for some who do not wish to downsize their belongings or separate from pets, this option nonetheless remains their choice, difficult as it may be. Those willfully opting for noncompliance over following the rules are also making a choice.

As pointed out, the Mission does not generally accept dogs at present (largely due to liability concerns) and there is limited space for storage of personal belongings. However, the Mission has been willing to relax some rules for non-disruptive guests and there is no mandatory requirement to attend religious services in order to stay there. EPD agrees the addition of lower barrier shelter and day center options, including provisions for a property check-in center and pet kenneling, would advance efforts to outreach the homeless community and connect them to services.

**R5. The Humboldt County Civil Grand Jury recommends Humboldt County and the City of Eureka collaborate to provide storage sites for the homeless to use at strategic locations. This action should be completed by December 2, 2019. (F2, F5)**

**R8. The Humboldt County Civil Grand Jury recommends the city of Eureka and Humboldt County collaborate to develop a plan to create and fund short term shelter and transitional housing solutions. This action should be completed by October 15, 2019. (F7)**

**R5, R8:**

The Council agrees that a well-managed, suitably located property check-in center for the homeless to use (R5) would help by:

- decreasing visible blight and obstruction of public ways around the city
- reducing the fear of theft of their belongings (often perpetrated by other homeless individuals)
- enabling the homeless to leave their property in a safe, legal space so they can go to work, make appointments, and better engage with service providers.

An important question concerns who specifically would be responsible for funding and managing this property storage site? We believe this program should largely be funded and managed by some entity other than the City (such as a nonprofit, private, or faith-based organization).

The Council also agrees there is a need for other short-term shelter and transitional housing solutions (R8). However, the City, which lacks the funding and resources, should not have to subsidize or manage this. Significant assistance from the County of Humboldt and other stakeholders are crucial to these solutions.

The City of Eureka welcomes any additional resources and new approaches that will help reduce the need for enforcement and take the de facto responsibility for managing the homeless problem off the shoulders of EPD. We welcome public-private partnership initiatives to address the issues presented in the report. Additionally, the City Council will reach out to the Humboldt County Board of Supervisors to schedule one or more joint meetings to discuss the complex of homelessness issues.

**R6. The Humboldt County Civil Grand Jury recommends Humboldt County and the City of Eureka collaborate to provide additional public restrooms/porta potties throughout the community and to extend the hours for existing facilities. This action should be completed September 30, 2019. (F5, F8)**

We have five restroom facilities along our 6.3 miles of waterfront. Four of the five are open seven days a week from 8 am to 4 pm. Our Old Town restroom facility was open 24 hours a day. We recently changed that to 8 am to around 9 pm due to vandalism that was occurring late at night, which resulted in the facilities becoming unusable to the public. Prior to changing hours, the City tried various improvements to the area to deter issues (lighting, extra patrols, etc.) over a three to four month period and the situation did not improve.

We also have restroom facilities at Sequoia Park and Hammond Park. Sequoia and Hammond Park restroom facilities are open from 8 am to 4 pm seven days a week.

The Community Services Department has applied for and received grant funding for two new restroom facilities in the last two years, one at Hammond Park and one at the new Del Norte Park (aka. Shark Park). We also recently received a grant for a new restroom at Sequoia Park. So Sequoia Park will have two restroom facilities. The Department has two other grant applications pending for new restroom facilities at 20-30 Park and Highland Park. The Department is also working with local businesses and the Old Town Rotary on fundraising for a new restroom/concession facility at Carson Park. The restrooms at all of our other parks are out of ADA compliance and/or in disrepair so the public cannot use them. This is why we are actively seeking grant funding to have compliant restroom facilities at all of our parks.

We keep the restrooms open during the hours of work for our field crew who maintain the facilities. Our experience with the 24 hours of operation of the Old Town restrooms demonstrates that having facilities unattended results in damage to the facilities and rendering them unusable by the public. We do not have the funding necessary to maintain and clean restroom facilities outside of regular working hours.



**R7. The Humboldt County Civil Grand Jury recommends the City of Eureka work with Humboldt County for support to increase affordable housing development and rentals by December 2, 2019. (F3, F4, F8)**

This recommendation has already been implemented and will continue to be implemented. The City and County discuss this topic at every joint meeting (responses to F5, R8, and R10) and executives from both organizations regularly discuss this topic during individual communications.

The two jurisdictions were in close collaboration throughout the development of their respective General Plans and Housing Elements.

**R9. The Humboldt County Civil Grand Jury recommends the City of Eureka and Humboldt County collaborate to conduct leadership group meetings at least monthly to address homelessness and other shared issues. This should be completed by October 1, 2019. (F4)**

This recommendation has been implemented. The Council agrees with the HCCGJ's recommendation for the City and County once again to collaborate in conducting a monthly leadership group meeting to address homelessness and other shared issues. This group, the Homeless Leadership Workgroup, has already been reconstituted and meeting since at least April 2019.

**R10. The Humboldt County Civil Grand Jury recommends the City of Eureka develop plans to enable homeless individuals the opportunities to reduce and waive fees from citations through volunteer community service. This action should be completed by January 15, 2020. (F2, F6)**

The Eureka Police Department/City of Eureka have already been actively developing plans to provide homeless individuals the opportunity to reduce and waive fees from citations through volunteer community service and/or participation homeless services programs. This process was initiated by Chief Steve Watson in November 2018. EPD is currently working in partnership with the City Attorney's office and UPLIFT Eureka to create a homeless diversion component to the program in lieu of referral to the criminal justice system and prosecution or fines for minor Eureka Municipal Code offenses. The framework for the Law Enforcement-assisted Alternative Diversion program (L.E.A.D.) has already been completed and the program is expected to be implemented on a pilot basis before the end of 2019.

Additionally, the Council and EPD support evaluating a possible "amnesty" program for eliminating certain longstanding bench warrants (and associated fines) issued for failure to appear in court for minor EMC offenses. Some homeless people have compiled multiple warrants coupled with mounting fines that may serve as impediments to their access to jobs and housing. Consequences for behavior are still needed and EPD will continue to enforce quality of life crimes as necessary. However, some type of "restorative justice mitigation" should be considered versus a wholesale eradication of these fines and warrants. Examples of this could include performing community service, accepting drug and alcohol treatment, job training, counseling or other engagement with social service providers.

This recommendation has not yet been implemented, but will be implemented (if feasible) by December 31, 2019.

**R11. The Humboldt County Civil Grand Jury recommends the Eureka City Council allocate funding for additional law enforcement members for the Mobile Intervention Service Team. This action is to be completed by January 30, 2020. (F10)**

The Council provisionally agrees with this recommendation and with the HCCGJ's finding that the Mobile Intervention & Services Team could be more effective with additional law enforcement team members. In essence, this recommendation has already been implemented with the formation of the Eureka Police Department's Community Safety Enhancement Team (CSET).

However, without matching DHHS-MIST staffing and increased funding for housing and medically managed detoxification/residential addiction treatment, adding law enforcement members to EPD-MIST would be minimally productive. If new positions were added without the needed resources and DHHS support staff, the system would only become more backlogged.

The Mobile Intervention & Services Team (MIST) is an innovative collaboration between EPD and the Humboldt County Department of Health and Human Services (DHHS). EPD's primary, dedicated, sworn MIST officer position has been fully funded by Measure Z since the team's inception in January 2015. MIST primarily focuses efforts on individuals who are homeless and need help stabilizing their mental illness and securing the services and assistance they need. DHHS-MIST's staffing component has historically been closely tied to a mental health-related funding source hence the team's primary (but not exclusive) focus on the severely mentally ill homeless population. MIST helps officers to build relationships with these individuals and to connect them to services before their situation further deteriorates.

Chief Watson and the EPD provided the following discussion of the philosophy and impacts of our CSET, MIST and UPLIFT programs:

**Community Safety Enhancement Team (CSET):**

EPD's Community Safety Enhancement Team (CSET) originated in July 2018. CSET's mission is *"to proactively address quality of life, crime and disorder problems in Old Town, along the waterfront, and in city parks while developing strategies to ultimately improve upon or eliminate these issues."*

CSET is currently comprised of the following:

- (1) Sergeant;
- (1) Mobile Intervention & Services Team (MIST) Officer – funded by Measure Z;
- (2) Waterfront / Park Rangers – (1) position funded by Measure Z;
- (1) Old Town Foot Patrol Officer;
- (1) Homeless/Mental Health Liaison (part-time, non-sworn) – funded by Measure Z;
- (1) Mental Health Volunteer (non-sworn).

By September 2019, UPLIFT Eureka and CSET will share two (2) Homeless Outreach Workers (HOW) – 1 funded by Measure Z.



**Philosophy:**

- Homelessness is not a crime, but the criminal behavior (i.e. thefts, assaults, open drug use and sales, prostitution/human trafficking, victimization of others etc.) frequently associated with the homeless community is.
- Focus on criminal behavior and causes behind crime.
- Balance accountability with compassion and outreach while trying to address the underlying causes of an individual's criminal behavior, which often negatively impacts the community.
- Reach people in their own environment – reach people where they are, not where we want them to be.
- A one-size-fits-all approach to addressing homeless is not effective. Each person who is homeless is an individual and an individualized approach is necessary.
- “Cut the red tape” – remove barriers to streamline services to those experiencing homelessness and poverty.

**Strategies:**

- High visibility, proactivity, and presence.
- Building relationships and working in partnership with those within the homeless community, government and private social service providers, businesses, and other community stakeholders.
- Identifying locations and individuals responsible for high emergency service call volumes, and developing long-term solutions toward reducing their needs through a judicious balance of outreach and accountability.
- Developing long-term solutions to address criminal quality-of-life and safety concerns through firm but fair accountability and outreach strategies.
- Connecting the homeless with resources including public sector, private, non-profit and faith-based community partners (addiction treatment, mental health services, social services, food, clothing, shelter, employment, etc.).
- Bridging and filling other existing service gaps in our community.
- Connecting people with resources including when taking accountability actions.
- Partnering closely with the City's UPLIFT Eureka program.
- Utilizing Crime Prevention through Environmental Design (CPTED)\* strategies.

*\*(CPTED is a multi-disciplinary approach to deterring criminal behavior through environmental design. CPTED proposes that intelligent, purposeful, and creative design of landscaping, structures, and outdoor environments can deter crime and disorder problems. At its core, CPTED is about reducing criminal opportunity by creating spaces that are less conducive to exploitation and misuse.)*

### **Actions and Accomplishments:**

Over the past year, CSET has conducted the following accountability actions:

- 336 citations issued for Eureka Municipal Code (EMC) offenses
  - The last citation issued by CSET for EMC 93.02 (Camping in Public) was issued on September 11, 2018.
  - From January until the end of June 2019, 66% of CSET's EMC citations were for EMC 130.01 (Open Container of Alcohol).
  - From January until the end of June 2019, 13% of CSET's EMC citations were for EMC 130.14 (Personal Property Storage in Public Spaces). However, citations for EMC 130.14 have not been issued by CSET since February 27, 2019.
  - During CSET's first year of operation, the City Attorney's Office did not prosecute on any EMC 93.02 or EMC 130.14 citations as misdemeanors. These citations were "infracted" to the Traffic Division of the Humboldt County Superior Court.
- 340 misdemeanor fresh arrests;
- 53 felony fresh arrests;
- 192 misdemeanor warrant arrests;
- 56 felony warrant arrests;
- 27 edged weapons collected;
- 3 firearms collected;
- 13 other weapons collected;
- 188.82 grams (6.7 ounces) of methamphetamine seized;
- 121.61 grams (4.3 ounces) of heroin seized;
- 80 abandoned encampments removed;
- 50,900 lbs (~25.5 tons) of trash collected.

CSET has made several arrests that rolled into outreach opportunities and led individuals into sobriety, housing, and employment. Many of these individuals were initially resistant to services and sobriety.

CSET has daily interactions with Eureka's homeless population. This includes contacts through accountability actions, outreach efforts, and most often through every day human interaction. All of these interactions open the door for outreach and services opportunities, which are needed to assist homeless community members connect with services and housing.

Besides accountability actions, over the past year CSET has accomplished the following (this list is not all-inclusive):

- 38 individuals directly connected to Waterfront Recovery Services to address addiction issues;
- 58 individuals referred to MIST;
- 51 individuals placed on mental health detentions;
- Assisted individuals in finding housing and temporary shelter;
- Assisted individuals in moving into housing;
- Assisted individuals in finding employment;
- Assisted individuals in meeting food, clothing, and other basic needs;
- Connected individuals to mental health and medical services;

- Reunited individuals with family including outside Humboldt County;
- Assisted various Department of Health and Human Services units such as Comprehensive Community Treatment (CCT), Mobile Response Team (MRT), Children's Mental Health Services, DHHS-MIST, Street Outreach Services (now called "HOME") etc.;
- Provided supportive aftercare to ensure those housed remained housed.

A significant barrier CSET recently encountered was the loss of approximately \$83,000 in Measure Z funding for Waterfront Recovery Services. In over 6 months, CSET used all but \$250 of the \$83,000 for addiction treatment services. This funding was allocated to be used from July 1, 2018 to July 1, 2019. However, the county's negotiations with Waterfront Recovery Services only provided access to the funding during the last six months of the fiscal year. Despite this setback, CSET was able to directly connect enough individuals into drug treatment within a six-month period that it nearly exhausted the entire fund. Drug treatment funding was not requested during the last Measure Z application process as Drug Medi-Cal was supposed to take effect in September 2019 but this has likely been pushed back to February 2020.

### **Training:**

CSET members have received training in the following multi-disciplinary areas:

- Crisis Intervention Training (CIT);
- I.C.A.T.: Integrating Communications, Assessment, and Tactics (ICAT is a de-escalation training program that provides first responding police officers with the tools, skills, and options they need to successfully and safely defuse a range of critical incidents);
- CSET's MIST Officer and Old Town Officer will be attending CIT II / III in November 2019;
- The CSET Sergeant, MIST Officer, and Chief of Police completed a CIT Behavioral Health Instructor course in September 2019;
- The CSET Sergeant, Field Operations Division Captain, and Chief of Police completed the International CIT Conference in August 2019;
- DHHS Benefit Packages;
- Working closely with DHHS and other social service providers, CSET received informal training on various topics including mental illness, addiction, and access to social services for those suffering from homelessness and poverty.

### **Additional Information:**

Since the team's inception, CSET has built strong partnerships with organizations such as the Saint Vincent de Paul Dining Facility, Eureka Rescue Mission, Betty Kwan Chinn Day Center, Raven Project, Department of Veterans Affairs, Vet Center, and New Directions among many others. In September 2019, CSET, in partnership with the Saint Vincent de Paul Dining Facility and Eureka Main Street, will be holding their 2<sup>nd</sup> Annual BBQ which will include a co-occurring services fair this year. The intent of the services fair is to provide a safe and supportive venue to directly connect those suffering from homelessness/poverty with community service providers.

A misunderstanding about MIST and its function persists. The Mobile Intervention & Services Team (MIST), implemented in early 2015, is an innovative collaboration between EPD and the Humboldt County Department of Health and Human Service (DHHS). MIST "works with people who are homeless and need help stabilizing their mental illness and securing the services and assistance they need to avoid further problems" (DHHS MIST Data Dashboard, 2017). MIST

focuses primarily on a list of the top 10 severely mentally ill homeless individuals in Eureka. These “high end users of services” create a significant call-for-service volume for law enforcement, fire, and EMS. Their primary resource to address their mental illness is commonly a hospital emergency room. Individuals who make the Top 10 list are people with significant barriers and service needs, likely requiring significant time and effort in order to achieve a successful outcome. Individuals on the MIST Top 10 list remain on the list until a desired outcome occurs. Since DHHS-MIST focuses on a list of the 10 highest users of services, their scope is largely limited to this portion of Eureka’s homeless community. DHHS-MIST also has expanded to now partner with other law enforcement agencies including the Arcata Police Department and Humboldt County Sheriff’s Office.

DHHS-MIST is comprised of the following positions, some which are vacant and often difficult to fill:

- (1) Supervisor;
- (1) Clinician;
- (2) Case Managers;
- (1) Community Health Outreach Worker;
- (3) Peer Coaches.

Since the EPD-MIST Officer position is now part of CSET, DHHS-MIST and CSET have significant overlap and work closely together. This includes monthly meetings and often daily field interactions. DHHS-MIST and CSET consistently share information and work toward developing long-term solutions for individuals on the MIST Top 10 list. Although only one officer on CSET is actually bestowed the title of MIST Officer, the entire nine-member team essentially works in unison supporting the MIST program with access to the same resources. A key difference between CSET and DHHS-MIST is that CSET is not limited to a Top 10 priority list.

#### **Examples of CSET Success Stories:**

- A homeless individual who lived on the streets for at least 16 years, and who suffered from severe mental illness and addiction, had been on the Top 10 list since MIST’s inception. This individual was responsible for over a 100 calls-for-service a year and he averaged approximately two arrests per month. After repeated accountability and outreach efforts, this individual finally decided to go to addiction treatment and address his mental illness. The CSET Sergeant and DHHS-MIST staff attended his addiction treatment graduation. This individual was housed with a CSET and DHHS-MIST partner and also employed by another community partner. On July 4, 2019, this individual approached members of CSET, shook their hands, and thanked them. Per this individual’s employer, he is one of the hardest workers they have.
- Another homeless individual was arrested twice by CSET for dealing methamphetamine. This individual was offered a variety of resources and addiction treatment options after each arrest. The individual refused and was sentenced to jail. Since being released, this individual approached members of CSET and thanked them. This individual is now sober, housed, and employed.
- A homeless individual who was just released from prison came into contact with CSET while they conducted the department’s homeless survey in 2018. CSET connected this

individual with housing and employment. Since then, this individual has saved money and is able to have his own apartment, giving him the freedom he desires. The employer has also thanked CSET for providing them with one of their “best” employees.

- CSET responded to call-for-service along the Waterfront Trail. Upon arrival, officers located a male down on the ground and unresponsive. CSET officers began life-saving efforts and the man was ultimately transported to the hospital. It was later discovered the individual had attempted to harm himself. Weeks after this incident, the individual left a voice message for CSET thanking them. The day after the voice message, CSET was working hand-in-hand with this individual through a partnered program while conducting a clean-up of a greenbelt.

### **UPLIFT Eureka:**

UPLIFT Eureka is a new homeless resource and support program run through the City of Eureka’s Community Services Department and supervised by a Measure Z-funded Homeless Services Programs Supervisor. UPLIFT aligns with Housing First principles in supporting individuals and equipping them with the tools to gain housing such as the necessary documentation and employment history. There are no barriers to entry into the program and UPLIFT is intended to serve as the quickest path from homelessness to housing. UPLIFT Eureka is a data-driven program designed to strategically guide homeless community members through a series of resources, supportive programming, and work programs with the assistance of volunteer “co-pilots.” The co-pilots serve as advocates for the participants as they work their way to success. Uplift Eureka provides the homeless with the tools to reclaim independence, dignity and employment. These goals are achieved through four primary components:

- 1. Job Skills Training Program:** The primary incentive for homeless individuals to join uplift is the Job Skills Training Program. UPLIFT participants join a team where twice a week they participate in three-hour shifts doing street cleaning and beautification projects where they are trained on aspects of facilities maintenance, vegetation management, custodial services etc. In return, they are compensated with a paid stipend or grocery gift card they can utilize to purchase food.
- 2. Programmatic Support:** UPLIFT participants attend a weekly meeting with each other. This meeting is facilitated by the Homeless Services Program Supervisor, who facilitates a group discussion about the participants’ progress with their personal goals and beautification work projects. UPLIFT participants are also partnered with a “co-pilot.” Co-pilots are volunteers who are trained through the City of Eureka. They meet once a week one-on-one with participants to work with them on their progress and to help them set up appointments, discuss goals, and work on resumes or other important documentation. Participants also partake in a bi-monthly four-part workshop titled “Pathway to Payday” where they are taught how to develop a master application, do mock interviews, and perform speed-round dating style interviews with actual businesses that are hiring.
- 3. Resource Management:** The UPLIFT program has also developed a comprehensive Resource Guide. This guide is categorized in a way to help both the participant and co-pilot navigate available resources in the community. These categories include Safety,



Basic Needs, Documentation, Employment, and Housing. Each of these categories feature organizations and sources that offer services and resources that fit into those descriptions. The user friendliness of this resource guide has made it easy to assist participants in being able to navigate services and achieve their goals.

#### **4. Strategic Milestones Path**

UPLIFT guides homeless members of the community through a leveled goal setting process. It is systematically designed to ensure participants have the tools to take advantage of the resources that ultimately lead to employment and housing. It is also designed for individuals to go at their own pace.

The milestones and levels are broken up into the following:

**Level 1:** This entry level is ensuring homeless members of our community get their most basic needs and tools they would need in order to even take advantage of resources to obtain housing based on current, traditional and non-traditional methods.

##### **Level 1 Milestones:**

- Obtained a Social Security Card?
- Obtained a Picture ID?
- Signed up for the Beautification Team?
- Obtained Temporary Housing?
- Applied for CalFresh (food stamps)?
- Acquired a Cell Phone through California LifeLine?
- Obtained an Email?

**Level 2:** This level focuses on the rebuilding stage to begin to gather the goals and remove the barriers they would need to obtain housing.

##### **Level 2 Milestones:**

- Created a Resume?
- Checked their Credit Score?
- Gotten a Job?
- Gotten a Checking Account?

**Level 3:** Now that most traditional barriers have been removed by going through Levels 1 and 2, this level focuses on the participant leveraging the tools obtained, to begin the process of actually obtaining housing.

**Level 3 Milestones:**

- Applied for Housing Vouchers through the Housing Authority?
- Saved enough for Permanent Housing (1st month's rent and deposit)?
- Applied for rentals with various Property Management companies?
- Obtained Permanent Housing?

The Participants work on the Milestones weekly, either on their own, or with their Co-Pilot. The data is then tracked in the excel spreadsheet to keep up with how each individual Participant is progressing. The excel spreadsheet also graphs how all the Participants from that particular referrals are progressing.

The following are statistics for the UPLIFT Eureka program, which started in late November of 2018:

Uplift has served forty-nine members of our community since the inception of the program. We currently have thirty-six active participants. Nine participants have gotten into permanent housing while in the Uplift program. There are currently seven who are ready for permanent housing if they possessed first month's rent and deposit. We are finalizing the contract for HEAP funding currently so we can make this happen.

Pathway to Payday has placed nearly ninety individuals in jobs since November 2018. All twenty-one participants from the August 2019 Pathway to Payday were invited for a second interview with many being offered jobs on the spot. Results data isn't complete for the August 2019 Pathway to Payday due to it ending last week and participants are still involved in the hiring process. Since the inception of Uplift, seventeen participants obtained jobs, twenty-one participants met all documentation Milestones, and participants are averaging seven Milestones met over their first four weeks.

**Future:**

The future of Uplift is looking bright. We just received word that our proposed HEAP funding budget has been approved to expand the Uplift program. This will allow us to accommodate more participants and implement the first-of-its-kind-in-our-region Diversion Program. EPD, the Community Services Department and the City Attorney's office have worked out the specifics of the Program. The Diversion Program is for individuals who commit minor infractions. Those individuals will be allowed to enroll into Uplift. Based on where that individual is in relation to Uplift's Milestones, that individual will be afforded the opportunity to demonstrate accomplishment of reaching certain Milestones in lieu of fines and associated court appearances. This will greatly enhance those individuals ability to better their lives and proceed on a path to being housed.

EPD/CSET work closely in partnership with UPLIFT Eureka. At least one of our members has also volunteered to be a "co-pilot" in the program. EPD provided \$35,156.96 of our portion of funding from a Board of State and Community Corrections Realignment Grant towards Community Services' CAPE program last fiscal year, and towards the new UPLIFT program this fiscal year. This is money EPD could have spent elsewhere on enforcement related activities or equipment but chose not to in order to support homeless outreach and services through UPLIFT.

From the grant request application: *“The Community Access Project for Eureka (CAPE) would like to utilize approximately \$35,000 of the Eureka Police Department’s grant funding to assist the Eureka Police Department in meeting its goals of the grant. The department intends to allocate its funds to the Community Access Project for Eureka’s new Uplift homeless resources program. CAPE is a project of the Eureka Community Services Department that has created a job skills training program that also coordinates and streamlines houseless populations to virtually every potential service available in the county. A lot of the programs being proposed have already demonstrated a great track record of success in providing employment for Eureka’s houseless community members. For example, the last CAPE administered Pathway to Payday program resulted in 23 out of 25 individuals gaining employment. Previous Pathway to Payday programs have resulted in two participants gaining full-time employment with the City of Eureka.”*

On Thursday, August 15, 2019, the Eureka Police Department’s Community Safety Enhancement Team (CSET), working in partnership with the Problem-Oriented Policing Unit (POP), California Department of Fish & Wildlife, and City of Eureka Code Enforcement, along with workers from Uplift Eureka, Eureka Rescue Mission, and Betty Kwan Chinn’s Day Center, conducted a clean-up operation to remove ten vacated illegal encampments located within a greenbelt area west of Broadway, Eureka. The encampments were noticed for removal well in advance of the operation.

This collaborative effort, which included 17 Uplift Eureka program volunteers, removed 1.77 tons of garbage from this sensitive wetlands area. One of the abandoned encampments was connected to significant environmental damage including the digging of an approximately 30’ x 15’ x 10’ deep pond. In addition to the clean-up efforts, several non-profit social service providers were also on scene to conduct outreach to any homeless persons present.

EPD’s Homeless/Mental Health Liaison had this to say following this collaborative effort:

*“Chief, I wanted to tell you my thoughts about what I saw besides the filth at the clean up on August 15th. Yes, I saw tons of garbage, empty shell casings, needles and other drug paraphernalia. But I also saw people working to clean it all up.*

*I saw people that I knew from when I worked at Mental Health who were homeless back in the 90's. People who I never thought could work either because of their mental illness or substance abuse related issues.*

*There were four people out there working that I talked with who said it was the first job they had and that they were proud to be working with the Police Department. One man told me he wanted me to take a picture of him so he could send it to his mom. He said she would be so proud of him and he wanted to capture that moment so his kids could see how far he has come. He lives at the Rescue Mission. He also said, "No one ever believed in me until now."*

*One man told me he felt better than he's ever felt and he thinks he likes the Police and isn't going to ever fight with them again! (He gets rowdy when he drinks) He asked me to tell everyone thank you.*

*Another guy asked me to take a picture with his phone of him standing by the Gator. He asked if he stood there would I take it when an Officer was close so he could send it to his dad.*

*In my mind the clean-up was a small accomplishment. The trash will be back. The real success for me was seeing the people who always were part of the problem be so glad to be part of the solution.*

*When I was with Mental Health and started the Street Outreach Program we did a clean-up in exchange for vouchers for food through Canned Food Store. Many people went on to find other jobs and stay in housing. Partnering with LEO and the City is such a gift to folks on the streets.*

*Just wanted to share that with you.” ~Pamlyn*

As the information contained in EPD’s response to this report and R11 validates (material conspicuously omitted from the Grand Jury’s report), the City and EPD are not using enforcement as our exclusive tool in dealing with homelessness today. The “carrot” is being judiciously balanced with the “stick.” Collaborative, new approaches emphasizing outreach and services are being sought and implemented. The efforts of CSET, MIST and UPLIFT Eureka are prime examples of this increasingly balanced and more comprehensive strategy.

“We know that enforcement alone will not solve the problem of homelessness. Outreach and services are also central components in our response to this crisis. Together we must find innovative and humane approaches leading to real, lasting solutions. May our community stand upon this common ground and work together toward our shared goal of ending chronic homelessness.” ~Chief Steve Watson

In conclusion, the City Council of the City of Eureka stands ready to work with all parties interested in issues of homelessness and law enforcement. Please contact us through our City Manager if you have questions or comments.

Sincerely,

Susan Seaman, Mayor  
City of Eureka

cc: Joseph Kravitz, Foreperson  
Humboldt County Civil Grand Jury